

Application No. 10/725,724
Reply to Office Action dated December 11, 2006

RD-28,230-3

REMARKS

Claims 1-22 were presented in the application as filed, and are currently under consideration.

DOUBLE PATENTING

Claims 1, 2, 6, 9, 10, 12, and 14-20 are rejected on the grounds of non-statutory obviousness-type double patenting over claims 1, 2, 6, 9, 10, 12-14, and 18 of U.S. 6,703,780. The Office Action takes note of a terminal disclaimer referred to in a response dated September 1, 2006, and suggests that Applicants resubmit the same. A terminal disclaimer over U.S. 6,703,780 is submitted herewith. It is believed that the terminal disclaimer fee required under 37 CFR §1.20(d) has been paid, as Deposit Account No. 07-0868 was charged \$130 on or about September 11, 2006; the Commissioner is authorized to charge any additional fees required to the same account. It is believed that the rejection is hereby overcome.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-4, 6, 7, 9, 10, 12-14, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 11-307266, to Hori, *et al.* The rejection is traversed.

A translation of JP 11-307266 (JP '266) is submitted herewith. JP '266 relates to organic light emitting devices that have monochromatic emission wavelength (paragraph 0020). The devices include an optical waveguide formed from a transparent electrode and dielectric layer of periodically varying refractive index disposed on a glass base (Abstract). FIG. 7 illustrates an embodiment where the dielectric layer is composed of silicon oxide and titanium dioxide (paragraph 0063).

Claims 1 and 20 are now amended to limit the composition of the ceramic material of the organic electroluminescent light emitting device to "Al₂O₃, Y₂O₃, Y₃Al₅O₁₂, MgAl₂O₄, MgAlON, AlN, AlON, TiO₂-doped ZrO₂, or a combination thereof." Support for the amendment may be found in original claim 14 (now cancelled.) The Office action asserts that the reference discloses the device of claim 14 in that paragraph 0063 teaches that the dielectric layer includes titanium dioxide. Applicants respectfully point out that the claims are not drawn to devices that include titanium dioxide. Devices that

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include a TiO_2 -doped ZrO_2 ceramic material are claimed, but it can be seen from the translation that the JP reference is silent regarding this material. Accordingly, Applicants submit that JP '266 does not anticipate claim 1 as now amended or its dependent claims, which contain all of the limitations thereof. It is believed that the rejection is hereby overcome.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-307266 (JP '266). The rejection is traversed.

The teachings and deficiencies of JP '266 are discussed above. Since the reference does not disclose all of the elements of claim 1, from which claim 11 depends, Applicants submit that claim 11 is not obvious in view thereof. It is believed that the rejection is hereby overcome.

In view of the foregoing arguments, the Applicants respectfully request reconsideration and allowance of claims 1-22. If the Examiner believes that a telephonic interview will facilitate prosecution, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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